

DERRICK DEON PARRISH,)
)
 Plaintiff,)
)
 v.) **No. 3:13-01218**
)
) **Judge Sharp**
) **Magistrate Joe Brown**
 CAROLYN W. COLVIN,)
 ACTING COMMISSIONER)
 OF SOCIAL SECURITY,)
)
 Defendant.)

In this case requesting judicial review of the denial of Supplemental Security Income, Plaintiff Derrick Deon Parrish has filed a Motion for Judgment on the Pleadings or Administrative Record (Docket No. 14). The Magistrate Judge has entered a Report and Recommendation (“R & R”), recommending that Plaintiff’s Motion be denied and the decision of the Commissioner be affirmed (Docket No. 19) and Plaintiff has filed objections to the R & R (Docket No. 20). Having undertaken *de novo* review of the entire matter in accordance with Rule 72 of the Federal Rules of Civil Procedure, including consideration of the administrative record, the Court finds that the R & R is the correct decision and properly applies the governing law.

In deciding to approve the R & R, the Court has considered the three objections raised by Plaintiff. First, Plaintiff argues the Administrative Law Judge (“ALJ”) erred by not affording any weight to the opinion of an examining but non-treating physician, Dr. Marc Bennett. Second, Plaintiff argues the ALJ erred by giving great weight to Dr. Susan Warner’s report but not adopting her opinion that Plaintiff was limited to sedentary work. Third, Plaintiff argues that

the ALJ erred by stating both that Plaintiff could “occasionally” balance and that Plaintiff could “never” balance.

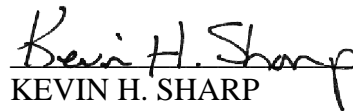
These objections are abbreviated versions of three of the same arguments that Plaintiff presented in support of his Motion for Judgment on the Administrative Record (Docket No. 15 at 8-12). The Magistrate Judge thoroughly discussed and rejected those arguments (Docket No. 19 at 14-19), and the Court finds no error in that analysis.

Accordingly, the Court hereby rules as follows:

- (1) The R & R (Docket No. 19) is ACCEPTED and APPROVED;
- (2) Plaintiff’s Motion for Judgment on the Administrative Record (Docket No. 14) is DENIED; and
- (3) The Commissioner’s decision denying benefits is AFFIRMED.

The Clerk of the Court shall enter a final judgment in accordance with Rule 72 of the Federal Rules of Civil Procedure.

It is so ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE